

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 1:22-CR-151
)	
Jonathan Peter Miller)	Hon. Patricia Tolliver Giles
Defendant.)	
_____)	

SEALING ORDER

This matter having come before the Court on the defendant's Motion to Seal pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The defendant seeks to seal the Defendant's Position on Sentencing, and accompanying exhibits, which was filed provisionally under seal with the Court on February 17, 2023.

2. Sealing of this material is necessary in order to safeguard the privacy and safety of the defendant and third parties.

3. The Court has considered procedures other than sealing, but none will suffice to protect the information subject to sealing.

4. The Court has the inherent power to seal materials submitted to it. *See United States v. Wuagneux*, 683 F.2d 1343, 1351 (11th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982); *Times Mirror Company v. United States*, 873 F.2d 1210 (9th Cir. 1989); *see also Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d

765, 766 (9th Cir. 1975). “The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of access is outweighed by competing interests.” *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

5. The defendant requests that the pertinent material be sealed until unsealed by order of the Court.

For the foregoing reasons it is hereby:

ORDERED that the defendant’s Motion to Seal is granted, and it is

FURTHER ORDERED that Defendant’s Position on Sentencing, and accompanying exhibits, filed provisionally under seal with the Court on February 17, 2023, shall be maintained under seal and will remain under seal until unsealed by order of the Court, and it is

FURTHER ORDERED that the Clerk provide a copy of this Order to counsel of record.

ENTERED this ____ day of February 2023.

Patricia T. Giles
United States District Judge